



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, TUESDAY, JULY 24, 2001

No. 104

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. CANTOR).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 24, 2001.

I hereby appoint the Honorable ERIC CANTOR to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 25 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes, but in no event shall debate continue past 9:50 a.m.

The Chair recognizes the gentlewoman from California (Ms. SOLIS) for 5 minutes.

INTRODUCTION OF THE GABRIELENO/TONGVA NATION ACT

Ms. SOLIS. Mr. Speaker, a long time ago the Gabrieleno and Tongva Nation of California occupied the entire LA Basin and the islands of Santa Catalina, San Nicholas and San Clemente, from Topanga Canyon to Laguna Beach, from the San Gabriel Mountains to the sea. It was their land.

The California Gold Rush and railroad expansion assured that their land was taken and today is one of the larg-

est urban centers in the world, but some things have not changed.

According to the Census figures, California's Native American population of over 309,000 became one of the largest in the State of California. Many of these Native Americans populate the area, making it the city with the largest concentration of Gabrieleno Indians. Yet they are not a federally recognized tribe.

It is not because they are not there. They are. They have been there for many centuries. In fact, dating as far back as the 1700s, 1771 to be exact, this Federal Government recognized the Gabrieleno and Tongva Nation.

Back in 1851, the U.S. Government sent Commissioner Barbour to establish a treaty with the Indians of Los Angeles but was suddenly called away, so that effort failed.

Back in 1852, the Superintendent of Indian Affairs, E.F. Beale, noted numerous Indian populations within Los Angeles County.

Numerous scholars and academics have also noted the existence of this nation, namely, Helen Hunt Jackson. In the mid-1880s she noted that the Gabrieleno/Tongva were continuing to live in the San Gabriel area as day laborers.

At the turn of the century, Hart Merriam and J.P. Harrington indicated that there were some groups of the nation living at the Tejon Reservation. It was further noted that one of the tribes represented at the reservation was the Tongva of San Gabriel.

In the early 1900s, the Federal Government allowed nation members, most of whom were ½ Indian blood, to register at the Sherman Indian School in Riverside, California.

The United States purchased land for the nation back in 1913, but by 1928 many nation members were still living in their traditional areas of San Gabriel and identifying themselves as tribal members, as evidenced by the California Indians' Jurisdictional Act.

Since 1928, the nation has participated in lobbying Congress via the Mission Indian Federation and was even a plaintiff in the Indian Claims Commission case.

Therefore, today I stand here to hopefully recognize and formalize this relationship that Commissioner Barbour was sent to treat back in 1851. Over and over again the Gabrieleno Indians have been the victims of bad timing or unfortunate circumstances, but nevertheless they exist today.

The bill federally recognizes the Gabrieleno Indians as a federally recognized tribe that will be eligible for current grants and services awarded to these entities. In a district like mine, this is a very significant and historical piece of legislation. In the 31st District of California, which is where I live and represent many, many constituents who live in poverty, this is no strange thing for us to be here today to recognize this very important tribe.

While Federal recognition would not guarantee necessarily food on their table, it would make this community eligible for housing, education, funds to clean the environment, and healthy care grants that would undoubtedly make their lives better.

It is important to note that this State-recognized tribe is not interested in gaming. In fact, they have turned away large companies that would have paid for their attorneys to fight for this Federal recognition. The tribe wants what is rightfully theirs, the recognition that they are always and have always been original citizens and we should treat them as such.

I ask my congressional colleagues here today to join me in providing Federal recognition of the Gabrieleno/Tongva Indians.

Mr. Speaker, I yield back the balance of my time.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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PATIENTS' BILL OF RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Indiana (Mr. PENCE) is recognized during morning hour debates for 5 minutes.

Mr. PENCE. Mr. Speaker, waiting on the horizon of this legislative week is the debate over the Patients' Bill of Rights. There has been much heat about this subject but very little light.

As Dr. Daniel Johnson memorably wrote in the July issue of the Wall Street Journal, "The debate over the patients' bill of rights is predictable. The Democrats favor more regulation. The Republicans favor less regulation. The insurers are holding on to their wallets, and trial lawyers smell blood."

Mr. Speaker, Dr. Johnson went on to write, "Now that the Senate has passed its bill, we can expect another bloody clash in the House, but beyond today's battle lies the possibility of a system that will make life easier for all concerned, not only employers and insurers but patients and physicians."

It is, Mr. Speaker, seizing on that opportunity that I rise in this Chamber today.

I came to Congress earlier this year anxious to support a Patients' Bill of Rights. The one that has captured my imagination and the one that I believe should capture the majority in the House of Representatives is that offered by my friend and colleague, a physician and the gentleman from the State of Kentucky, (Mr. FLETCHER).

The Fletcher bill offers three key factors that I believe the people of East Central Indiana need in a Patients' Bill of Rights. First, the Fletcher bill expands access to medical savings accounts so that more Americans can save money to pay for health care. This provision, Mr. Speaker, will drastically reduce the ranks of the uninsured in our country and will give patients more control over their health care decisions.

Secondly, the Fletcher bill holds the right people responsible when patients are denied care or receive poor care. If an insurer or health plan makes a decision that harms a patient, the plan or the insurer will be held accountable in Federal and in State courts.

Finally, the Fletcher bill provides increased access to health insurance through associated health plans, allowing small businesses to join together to purchase health insurance. This will permit them to receive the same benefits of uniform regulation, economies of scale and administrative efficiency that large companies currently enjoy.

As I said, Mr. Speaker, there has been and likely this week will continue to be a great deal of heat and just a little bit of light in the debate over a Patients' Bill of Rights. But I rise today to urge my colleagues to strongly support the Fletcher legislation, a Patients' Bill of Rights that will protect not only patients and physicians but also our employer-based health insurance system in America.

Mr. Speaker, I yield back the balance of my time.

ORDINANCE AND EXPLOSIVE RISK MANAGEMENT ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, for over two centuries the United States has been the stage for military action in training, beginning with the Revolutionary War. As a result, bombs and shells that did not go off as intended litter the countryside. Unexploded ordinance is an issue that deserves great attention and priority by this Congress.

It is difficult to find a congressional district across America that does not have a problem with unexploded ordinance. Well over 1,000 sites are known or suspected to be contaminated. They range from extremely remote areas in Alaska to dense urban environments such as Spring Valley here in Washington, D.C., adjacent to the American University campus where the gentleman from Washington, D.C. (Ms. NORTON) and I led a tour this spring.

The number of acres within the United States contaminated with UXO is estimated at 20 million acres to perhaps 50 million acres or more. One of the most unsettling facts is that there is no accurate estimate. Even so, we know the price tag for cleaning this problem up is huge. According to the General Accounting Office in a report earlier this year, the Department of Defense estimates that its liability may be \$100 billion or more just for cleaning up training ranges.

Today, the gentleman from Alabama (Mr. RILEY) and I are introducing the Ordinance and Explosive Risk Management Act to help the Department of Defense do its job. The bill would establish a single point of contact for policy and budgeting regarding former military ranges and other sites around the country. It puts someone in charge by establishing a program manager for UXO who is directly accountable to the Secretary of the Army.

It requires an inventory of explosive risk sites at former military ranges. This provision requires the Department of Defense to complete and annually update an inventory it started as part of an earlier process and establishes criteria for site prioritization among these many sites that need our attention.

The bill protects the public with the requirement of enhanced security measures at former military ranges and public awareness efforts regarding the dangers associated with these sites. It requires the Department of Defense to develop education and site security plans for former ranges in cooperation with property owners and other agencies.

The broad interest in Congress has helped us shape this bill. The gentleman from California (Mr. FARR), who has been working with the Fort Ord cleanup for years, understands and has urged the provision in our bill that creates the separate Department of Defense account for the removal and cleanup. Because it is so fundamentally different, this provision enables everybody who cares to be able to follow the issue.

One of the most important elements of our bill is a result of the experience of the gentleman from Alabama (Mr. RILEY) in dealing with the chemical demilitarization program. He feels strongly, and I agree, that it is important to have an independent panel to be able to look at the problems associated with cleaning up these contaminated sites. This advisory and review panel will include the National Academy of Science, nongovernmental organizations, the U.S. Environmental Protection Agency and representatives of the States. They will report annually to Congress on the progress made by the Department of Defense and make further recommendations for program improvements.

I appreciate the contributions of people like the gentleman from California (Mr. FARR) and the gentleman from Alabama (Mr. RILEY). This is a problem that is not going away. At least 65 people have been killed as a result of accidents from this military waste. Recently, American University just filed a lawsuit against the United States for almost \$100 million because of problems related to the contamination of that campus when it was used as a site for the development and testing of chemical weapons during World War I and still has not been cleaned up thoroughly.

We have a responsibility in Congress to address this issue. I strongly urge my colleagues to join me in co-sponsoring this legislation, along with the gentleman from Alabama (Mr. RILEY), and make sure that this Congress is not missing in action when it comes to dealing with the consequences of environmental military contamination.

THE REAL PATIENTS' BILL OF RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, let me say this morning as I did last evening that I am very hopeful that the Republican leadership will bring up HMO reform this week. We are hearing this perhaps Thursday or maybe Friday.

My greatest fear is that the true HMO reform, the real Patients' Bill of Rights, the Dingell-Ganske-Norwood bill, will not have an opportunity for a clean vote.

What we are hearing is that the President is coming back from Europe